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September 6, 2022

VIA ECF

The Honorable Ronnie Abrams
United States District Judge
Southern District of New York
40 Foley Square, Room 2203
New York, NY 10007

Re: *Eckhart v. Fox News, LLC, et al.*; Case No. 20-cv-5593 (RA)(GWG)

Dear Judge Abrams:

This firm represents Defendant Ed Henry in the above-referenced matter. I am writing in connection with the Court's August 30, 2022 Order (the "Court's Order") scheduling oral argument on Mr. Henry's motion for reconsideration for September 13, 2022 at 3:00 p.m. Unfortunately, I have a medical appointment that day that I cannot reschedule. Accordingly, I respectfully request an adjournment of the argument. I have contacted Plaintiff Jennifer Eckhart ("Plaintiff") and Defendant Fox News, LLC ("Fox News") and both consent to an adjournment.

I also have conferred with the other parties regarding their availability for the next week in case the Court is available to reschedule during one of the available times. For the Court's information, all the parties are available any time on September 19 or 20. The parties also are available after 2 p.m. on September 21 or after 3 p.m. on September 22.

The Court's Order also requested that the parties advise the Court regarding whether the parties prefer the oral argument to be in person or remote via videoconference. Defendant Henry prefers that the oral argument be in person. Plaintiff prefers that the oral argument be remote via videoconference. Fox News takes no position regarding whether the oral argument be in person or remote via videoconference.

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Respectfully submitted,

/s/ Catherine M. Foti
Catherine M. Foti

Cc: All Counsel of Record (*via* ECF)